

PHASE I COMMENTS OF THE DIVISION OF ENERGY RESOURCES

EXECUTIVE SUMMARY

DOER (“the Division”) hereby submits the following comments in the DTE Phase I of the competitive markets proceeding (DTE 01-54). Remarks related to Section A discuss DTE Directives to be implemented immediately by Local Distribution Companies (LDCs) to improve competitive supplier access to customer information. Section B consists of comments regarding the issues raised at the DTE Phase I Technical Session. The Division recommends that LDCs be required to, not only establish, but also to proactively promote, a list of “Active Competitive Suppliers.” Furthermore, the Division supports the maximum amount of customer information be supplied to competitive suppliers. To facilitate the development of the competitive market, the Division strongly recommends the following:

- ?? In developing the customer information lists, affirmative actions required for a customer to authorize the release or retraction of information be minimized. It is advised that the Department adopt an “opt-out” procedure for the development of the customer information lists.
- ?? LDCs implement Customer Education Programs to promote customer awareness of the “Active Competitive Supplier” list.
- ?? The maximum amount of customer information be released to competitive suppliers to enable these suppliers to successfully market their products to Massachusetts’ retail customers.
- ?? The customer information list should include Default Service (DS) and Standard Offer Service (SOS) and competitive service customers.
- ?? Customer Information Lists should be available via a web based system with sufficient security procedures to ensure that only the relevant licensed competitive suppliers/brokers will be able to access the information
- ?? LDCs be required to update the customer information lists quarterly, or as frequently as practicable.
- ?? The Department of Telecommunication and Energy regulations be amended to include specific restrictions on the use of customer information to ensure that this information is limited to use by licensed competitive suppliers/brokers for marketing purposes and in the manner intended by Department.
- ?? Electronic signatures should be allowed by the Department. The Division’s previous comments (submitted in response to the May 31, 2001 technical session) assessing potential legal issues related to electronic signatures presented in Attachment A.